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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2504 Session of  
2024

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INTRODUCED BY D'ORSIE, CUTLER, STEHR, LEADBETER, ROWE, KLUNK,  
MOUL, JAMES, GILLEN, JOZWIAK AND ZIMMERMAN, JULY 23, 2024

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REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, JULY 23, 2024

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AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, in child custody, further providing  
3 for standing for partial physical custody and supervised  
4 physical custody.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 5325 of Title 23 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 5325. Standing for partial physical custody and supervised  
10 physical custody.

11 In addition to situations set forth in section 5324 (relating  
12 to standing for any form of physical custody or legal custody),  
13 grandparents and great-grandparents may file an action under  
14 this chapter for partial physical custody or supervised physical  
15 custody in the following situations:

16 (1) where the parent of the child is deceased, a parent  
17 or grandparent of the deceased parent may file an action  
18 under this section;

19 (2) where the relationship with the child began either

1 with the consent of a parent of the child or under a court  
2 order and where the parents of the child:

3 (i) have commenced a proceeding for custody; and

4 (ii) do not agree as to whether the grandparents or  
5 great-grandparents should have custody under this  
6 section; ~~or~~

7 (3) when the child has, for a period of at least 12  
8 consecutive months, resided with the grandparent or great-  
9 grandparent, excluding brief temporary absences of the child  
10 from the home, and is removed from the home by the parents,  
11 an action must be filed within six months after the removal  
12 of the child from the home~~.~~; or

13 (4) where neither parent has any form of care and  
14 control of the child or a parent has supervised physical  
15 custody of the child and:

16 (i) the grandparent has assumed or is willing to  
17 assume responsibility for the child; and

18 (ii) the grandparent has a sustained, substantial  
19 and sincere interest in the welfare of the child. In  
20 determining whether the grandparent meets the  
21 requirements of this subparagraph, the court may  
22 consider, among other factors, the nature, quality,  
23 extent and length of the involvement by the grandparent  
24 in the child's life.

25 Section 2. This act shall take effect in 60 days.